

1893-049 Chancery Causes: Gdn of R. C. Slemp tc by vs. R. C. Slemp bc
Lee Co

Barron, Pennington, Kelly, Wade, Morgan

CA-Estate Dispute
T-Property

To the Hon H. S. K. Merison Judge of the Circuit
Court of Lee County Virginia:

The bill of complaint of William N. G. Slump Guardian
for R. C. Slump, Annie B. Slump, Minnie L. Slump, F. S. Slump &
Cora A. Slump his children, and heirs at law of Virginia
Slump dead, and late wife of said Wm N. G. Slump. would
respectfully represent, that about the 25 day of Dec. 1886
his said wife Virginia Slump departed this life intestate
in said county of Lee leaving at her death 5 children her
heirs at law who are named above all infants under 14 years
of age. And on the 30th day of March 1888 your Orator
was appointed by your Honor as the guardian of his said
five children who are the legal heirs of the said Virginia
Slump - your Orator's late wife

Your Orator states that his late wife the said Virginia Slump
was a grand Daughter of the late Wm N. G. Barron dead, and
was a Daughter of an Joseph Barron dead, a son of said W. N. G. Barron

The brothers and sisters of the said Virginia Slump are, James
Barron, Hugh C. Barron, Rachael Barron who married Ewan
S. Pennington Wm N. G. Barron jr and Martha Barron now
the wife of Jas. H. Kelly all of whom are now residents of Va.
except the said Wm N. G. Barron jr.

Your Orator states that in the partition of the real estate
owned by said Wm N. G. Barron Sr at his death, among his heirs
at law, about 34 acres of what is known as his home farm
was assigned to the six heirs at law of the said Joseph Barron
dead of whom the said Virginia Slump was one

Your Orator states that of said 34 acres so assigned said six
heirs he became the owner of five sixths thereof by purchase
from James Barron, Hugh C. Barron, Wm N. G. Barron jr, Ewan S. Pen-
nington & wife, and Jas H. Kelly and wife,

Your Orator states that one undivided sixth part of said 34 acres

1 let belonged to the said Virginia Slump during her life, and at
2 her death the same descended and passed to her five heirs
3 at law before named who are your Orator's said wards.

4 Your Orator states that he being the owner of $\frac{5}{6}$ of said
5 34 acre tract of land, and one James Barran and his mother
6 Eliza Barran widow of one Gale Barran died, having offered him
7 the sum of \$60.00 per acre for said entire 34 acre tract your Orator
8 thereupon undertook to and did sell to them said entire parcel
9 of land including not only his own $\frac{5}{6}$ thereof but also the $\frac{1}{6}$ belonging
10 to his said wards.

11 Your Orator states that he is to receive for said land the sum of
12 \$2040.00 and of that sum \$340.00 will belong to his said 5 wards.

13 Your Orator states that if said tract of land should be partitioned
14 between himself and his said wards, the latter would each get
15 a small fraction more than one acre each. And such a partition
16 your Orator conceives would be both prejudicial ~~both~~ to himself
17 and to his said wards, as will be readily seen by the mere statement
18 of the facts of the case. In addition to this your Orator states
19 that the said James and Eliza Barran are unwilling to take a
20 part of said land at the price stipulated and pay therefor, but insist
21 that said trade shall be rescinded unless they can get a legal
22 title to the whole, in which case they are willing to take and pay
23 for the whole. In the event, Your Orator's said wards should
24 die intestate and unmarried before attaining the age of 21 years
25 their interest in said real estate would revert to their uncles
26 and Aunts on their Mother's side before named.

27 The premises considered your Orator is advised
28 that it is to the interest of his said wards, that the sale of
29 their interest in said ^{land} as made by your Orator, be confirmed
30 and approved by a court of equity and their title passed
31 to said purchasers and their portion of the purchase price
32 set apart and put at interest for their benefit and to attain

1 those ends are the objects of this bill;

2 The premises considered your Orator prays that the
3 said R. C. Sluys, Annie B. Sluys, Minnie S. Sluys, F. S. Sluys
4 Vera A. Sluys, James Barron, Hugh C. Barron, Wm. B. Barron,
5 Evan S. Pennington Rachael Pennington, Jas. H. Kelly, Martha
6 Kelly James Barron and Eliza Barron be made defendants
7 to this bill and be required to answer the same on oath
8 that a guardian ad litem be appointed for said wards to
9 defend their interest in this cause. that an order of publi-
10 cation be entered posted and published against the said
11 James Barron, Hugh C. Barron Evan S. Pennington Rachael
12 Pennington and James H. Kelly and Martha Kelly, and
13 upon a hearing of the cause a decree be entered ratifying
14 confirming and approving the sale of said infants interest
15 in said land as made by your Orator to said James & Eliza
16 Barron. that a court be appointed to convey to said purchasers
17 said wards interest in said land, and their due and just
18 proportion of said purchase money be set apart and put
19 at interest for the use and benefit of said wards. and if
20 in any wise mistaken in this his Special prayer, then
21 your Orator prays for all general relief May the common
22 law courts writ of Sp. issue directed to

23 John M. Morgan for Pff

24 I do swear that the statements made
25 in the foregoing bill are as I verily believe
26 true so help me god.

27 J. W. N. G. Sluys

28 Sworn to before me

29 H. J. Morgan Com
30 Sept 13 1888

William B. G. Slough Guards

Bill

R. B. Slough & others.

1888 1st Aug. Rules Bill filed
I have accepted as to adult
Home Dept. & D. A. H. H. H.
Order for as to minor residents
H. S. H. A. L. H. H. H. H. H.

11. 1st Aug. Rules H. H. H. H. H.
Order for. H. H. H. H. H.
H. H. H. H. H. H. H. H.

1889 Continued

1890. Contd 1891. Contd

1891. Contd 1892 "

1893. March decree final
26.11

C	14.93
G. A. L.	5.00
Pr.	5.00
W	13.00
<hr/>	
	37.93

To the Hon S. S. K. Merison Judge of the Circuit Court of Lee County Virginia:

The joint answer of James and Eliza Barron to a Bill filed in this Honorable Court against them & others by Wm. H. S. Sump Guardian &c.

For answer to said Bill or so much thereof as they deem it is material for them to answer. Answering say that it is true that they purchased of the plaintiff the 34 acre tract of land in the bill mentioned at the price of \$60.00 per acre, and one sixth thereof is deemed of right belongs to the plaintiffs five wards.

The price which these respondents have agreed to pay for said land they regard as a full and high price thereof and every furthering it is worth.

The said 34 acres so purchased adjoins the lot of land assigned respondents and others in the partition of of W. H. S. Barron's ^{land} and this fact, and the fact that they were nearly compelled to own it, by reason of its location, was the main cause which induced them to pay such a high price thereof. And while the price is high they are unwilling to take a part, unless they can get the whole thereof.

Respondents say that if they fail to get the plaintiffs wards interest therein, their partition thereof will have to be made and this will add largely to the cost thereof which is already too high and respondents having now answered as fully as deemed necessary pray to be dismissed.

James P. Barron
Louisa P. Barron

James & Eliza Barran

as $\frac{2}{3}$ joint answer

W. N. G. Slough Guard

Wm A. G. Slump Guard & Co. Deft }
vs } In Choc.

R. L. Slump & others Defts }

To the Hon. W. S. R. Morrison
Judge of the Circuit Court for Lee County,
Virginia:

The separate answer of R. L.
Slump, Anne B. Slump, Minnie L. Slump
F. S. Slump and Leora A. Slump, infant
heirs at law of Virginia E. Slump decd
by J. A. G. Hyatt their Guardian ad litem
assigned to defend them in the above
styled Suit;

This respondent for answer to
said Bill and proceeding, States that
his wards are all small infant
Children, and also children of the
Plaintiff their Guardians, and that
no action would be likely to be
taken by him detrimental to their
interest - and therefore does not
show any reason why the prayer
of the Bill should not be granted,
at the same time believing that
his wards interest would be
promoted by a sale of their small
interest in said lands

J. A. G. Hyatt G. A. L.

Wm. H. G. Searles & Co.
3
20
3
Ans G. A. L.

R. L. Searles & Co.

Filed Aug. Rules 1888

J. A. G. Hyatt

W. N. G. Skimp Grand or Peff
 vs.
 R. B. Skimp & others Defts } In Chy

This cause came on finally to be heard in the papers formerly read therein, and the report of the plaintiff as guardian, dated and filed in the cause Aug 28 1892, showing the receipt by him of the purchase price of the infants interest in the lot of land in the bill mentioned amounting to \$401.12 as of the 1st day of Nov. 1892 And the report of Special Const. John M. Morgan dated and filed in the cause Sept the 30th 1892. Showing that he had conveyed to Jas P. and Eliza Barron with covenants of Special warranty, the 5 infant defendants undivided interest in the 34 acre lot of land sold in this cause. And was argued by counsel, and said two reports being unaccepted to, on consideration whereof it is adjudged ordered and decreed that said two reports be and the same are hereby confirmed, And the Peff as the guardian for his five infant children, will account to them as they arrive to the age of 21 years, for the said \$401.12, with interest thereon according to law. And the clerk of this will deliver to the clerk of the county court of San County for recordation the deed made by Const. Morgan to Jas P. & Eliza Barron, for said infants interest in said 34 acre lot of land, and no further action being necessary in the cause the parties are hence dismissed and the cause stricken from the docket.

Wm N. G. Slough Grounds

or { ^{to} Sec. No. 2 Final

R. C. ~~Slough~~ ^{Slough} ~~Grounds~~

Entered O. B. page

433 & 434

March 7 1893

J. A. H. Hyatt C.

Enter this

March 7 1893

H. A. H. Hyatt

W. N. B. Slump Grand & Ref. }
 vs. } In Equity
 R. C. Slump & Others } Defts.

This cause came on this day to be heard on the bill
 of the Plaintiff taken for confessed by the adult defendants
 the answer of the infant defendants by J. A. B. by all
 their Guardian and Attorney the appointment of a trustee
 and was argued by counsel. And it appearing to
 the court from the evidence in the cause that the
 interest of the infant defendants, will be promoted
 by a confirmation of the conditional sale of their
 undivided interest in the 34 acre lot of land in the
 bill mentioned, made by the plaintiff to James P. and
 Eliza Barron at the price of \$340.00 On consideration
 whereof it is adjudged ordered and decreed that said
 sale so made by the plaintiff to said Jas. P. & Eliza Barron
 be and the same is hereby affirmed, ratified and
 confirmed, And upon the payment of said \$340.00 by the
 said James P. and Eliza Barron to the plaintiff as the
 guardian for said infant defendants, with legal interest
 thereon from January 1-1889. that said James P. & Eliza
 Barron then take and hold by title given and stable
 said infants undivided interest in said 34 acre lot of
 land, And when said sum of money shall be paid as
 aforesaid, then John M. Morgan who is hereby appointed
 a commissioner for the purpose will convey by proper
 deed, with covenants of special warranty, said infants
 undivided interest in said 34 acre lot of land to the
 said Jas. P. & Eliza Barron, and the cause is continued

W. B. G. Skimp Guard

25. } Dec 101

R. C. Bann & others

Entered Chas
O. B. page 390.

June 7 / 1892

J. A. Hyatt

Enter this
June 7 1892
H. A. K. M.

W. N. G. Slump Guardian & Pff.
vs.
R. B. Slump others. Defts. } In Chy

This cause came on this day to be heard on the bill of the plaintiff, the answer of the infant defendants by John H. B. with their guardian ad. Litem, the joint answer of James P. and Eliza Barron, the deposition of witnesses, and the plaintiff's bill taken for confessed by the other defendants, and was argued by counsel. On consideration of all which it appears to the court, that the sale made by the Plaintiff of the infants undivided interest in the 34 acre tract of land in the bill mentioned to James P. and Eliza Barron is a good one. and that by a confirmation thereof, the interest of said infants will be promoted thereby. It is therefore adjudged ordered and decreed that the said sale made by the said plaintiff of his said wards interest in said land to Jas. P. and Eliza Barron, be and the same is hereby ratified approved and confirmed to all intents and purposes, and it is further ordered that of the purchase price of said 34 acre lot of land sold as aforesaid, the sum of \$340.00 with interest thereon from the time the purchase money commenced to bear interest, be set apart and held by the plaintiff for the use and benefit of his said wards when they arrive at the age of 21 years. And it is further ordered that the plaintiff with good security be required to make and execute a bond before the clerk of this court in the sum of \$1000. with condition to faithfully to account for and pay to his said wards said \$340.00 with its accruing interest to his said wards, as they shall respectively arrive to the age of 21 years.

And when the bond aforesaid shall have been executed
as herein required, the said Plaintiff is appointed a com.
on the part of his said wards to convey their interest in
said 34 acre tract of land, to said Jas P. & Eliza Barron at the
same time that he conveys to them his own interest therein;
and said Comr. will report his action to the court the same is made.

W. H. G. Slough Guardian

20 { Decem. No. 1

R. G. Slough coheirs

Enter this
Dec. 1898

W. N. C. Slomp Guardian vs Plff
R. C. Slomp & others Defs

The depositions of Campbell Slomp and L. M. Wade, taken pursuant to notice at the Clerk's Office of the Circuit Court of Lee County on the 7th day of June 1892, which are intended to be read as evidence on the part of the plaintiff in the above styled Suite at the hearing thereof.

The said Campbell Slomp a witness of lawful age being duly sworn, deposes as follows.

1st Ques by Plff. You will please state whether or not you are acquainted with the 34 acre lot of land, in the bill mentioned, which was laid off and assigned to the heirs of Joseph Barron Decd in the partition of the lands of W. N. C. Barron Decd and if so, how near do you live thereto, and how long have you known it.

Answer I am acquainted with said land. I live within about two miles of it and have known it all my life and I am now 52 years of age.

2nd Question. Please state what you think would be a ^{reasonable} fair price for said lot of land.

Answer. I think that Two Thousand and forty dollars. would be a very extravagant price for said land.

3 question. The Plaintiff being the owner of $\frac{5}{6}$ of said lot of land in his own right, would \$340.⁰⁰ be a full and fair price for the five infant Childrens undivided interest therein.

Answer. I think it would be an extravagant price for said interest.

4th question. Would it be to the interest of said infants to Confirm the Sale already made by The plaintiff or would it be best for the infants interests, that said land should be put up at public auction and sold to the highest bidder.

Answer. It is my opinion that it would be best to Confirm the Sale made by the Plaintiff.

5th Question Please state whether or not in your opinion the interest of the infants would be promoted by a Confirmation of said Sale, or would it be to

their interest to keep the land
its self.

Answer. I think it would be to their
interest to confirm the sale.
And further this witness saith not.

C. Slump

L. M. Wade another witness of
lawful age being duly sworn
deposes and says,

I am now about 43 years of age.
I have lived most all that time
within one mile of said land, and
I have just heard read the questions
propounded to Campbell Slump and
his answers thereto, and with the
qualifications already stated, my
judgment coincides with Col Slump's
throughout.

And further this witness saith not.

L. M. Wade

Virginia Lee County To-wit.

I, Henry C. Foslyn a Justice of the
Peace in and for the County aforesaid
do hereby Certify that the foregoing
depositions of Campbell Slump
and L. M. Wade, were duly taken
sworn to and subscribed by them
respectively at the time and place
mentioned in the Caption

of the same.

Given under my hand this 7th
day of June 1892.

Henry C. Joslyn J.P.

I as Canadian Admittum for said
infants, hereby accept the legal
notice of the taking of the foregoing
depositions, and I do not deem
it necessary to cross examine
said witnesses. June 7th 1892

J. A. Styratt B.A.

W. H. G. Slough

vs.

R. G. Slough & others

Depositions of

Samuel H. Slough

+ L. M. Wood

J. P. Per 7866

Wm N G. Slump Guard &c.

Jeff

25.

R. B. Slump Nannie B. Slump Minnie L. Slump,
F. S. Slump, Bora A. Slump, James Barron
Hugh C. Barron, Wm N G. Barron, Evan S.
Perrington Rachael Perrington James H.
Kelly and Martha Kelly, James Barron
Eliza Barron

In Chy

Defto

I do swear that the above named Jas Barron (son of Jo)
Hugh C. Barron, Evan S. Perrington Rachael Perrington
Jas. H. Kelly and Martha Kelly are not residents of the
State of Virginia as I verily believe so helps me God.

Henry J. Morgan

Wm A G. Barron Guardian

or 3 Aff'd

R. B. Barron ~~attorney~~

Wm. N. G. Slingerland Guard & Pass

R. L. Shump & Others

Sept. 1

In Chy

To the Hon S. S. K. Meris Judge of the Circuit
Court of Lee County Virginia;

The Peff as the Guardian for his five infants whose names are set out in the bill and proceedings begs leave to submit the following report in this cause

In the first place I qualified as the guardian for my said wards with the view to the bringing of this suit for the confirmation of the sale of their interest in the 34 acre lot of land in the bill mentioned and gave as my security in my official bond as such Col. Campbell Sen which makes the bond perfectly good.

In the next place I desire to state that the said James P. and Eliza Benson has paid me in full the \$342.00 with accruing interest thereon from January 1 1839 that being the purchase price for said infants undivided interest in said 34 acre lot of land.

Said sum of money, with interest compounded annually from January the 1st 1889. Calculated to Nov. the 1st 1892 will amount to the sum of \$401.12 and this may be regarded as the sum due then Nov. 1 1892 which will bear interest from that date.

The purchase price of said land having been fully paid as above stated, the said Jas. P. & Eliza Barron are now entitled to a deed of conveyance for said infants undivided interest in said lot of land.

Respectfully Submitted

M. A. G. Sander
August 28 / 1892

W. N. G. Sluifer Guard.

vs { Report Payt Money

R. G. Sluifer & others

Fried Augt, 28/92

J. A. S. Hyatt

Virginia:

In the Clerk's Office of
the Circuit Court for Lee
County, on Monday the 30th
day of July 1888.

Am. N. G. Slump Guard & Co. Deft.

against

R. L. Slump & others Defts. } In Chancery

The object of this suit is
to perfect the sale of the land
in the Bill mentioned and
to have the interest of the infant
defendants conveyed to the pur-
chasers - and it appearing from
an affidavit filed in this cause
that the defendants Jas. Barrow
Hugh. C. Barrow, Ewan S. Pennington,
Racheb. Pennington, Jas. H. Kelly, and
Martha Kelly his wife are now
residents of this State: It is therefore
ordered that they appear here within
~~the month~~ fifteen days
after due publication
of this order, and do what may
be necessary to protect their
interest in this suit.

A Copy Teste

J. M. Morgan P. Q.

J. A. Hyatt & Co.

M. N. G. Slump Esq

res $\frac{3}{2}$ Order Pub

R. C. Slump et al

I Certify that I
delivered to the
Lee County Republican
an office copy of
this Order for Pub
and posted a like
copy at the front
door of Lee Court
house on the first
day of Aug. Term
of the County Court
J. A. Hyatt & Co

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*R. C. Slamp, Nannie B. Slamp
Minnie L. Slamp, F. S. Slamp, Leora A. Slamp
James D. Barrow, Hugh C. Barrow, Wm. A.
B. Barrow, Evary S. Pennington, Rachel Pen-
nington, James H. Kelly, Martha Kelly, James
D. Barrow and Eliza J. Barrow*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *August* next, being rule day to answer a bill in Chancery exhibited in our said Court
against *them* by *Wm. A. G. Slamp Guardian*

*for R. C. Slamp, Nannie B. Slamp, Minnie
L. Slamp, F. S. Slamp and Leora A. Slamp
Minor heirs of Virginia E. Slamp dec'd*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *31st* day of *July* 18*88*, in the 11*3* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.
J. A. G. Hyatt & Co.

J. M. M.

Wm. A. G. Sleep Gunter

no 3 Spain Chey

James Barrow et al

Lo August Rules 1888.

We accept legal
service of the within
Spa. Aug. 4th 1888.

Gas P. Barron

Eliza Barron

Wm. V. G. Barron

14
12
168
7
1.95-

VIRGINIA.—In the clerk's office of the circuit court for Lee county, on Monday the 30th day of July 1888.

Wm. N. G. Slemm Guardian, &c. Pltff.
against R. C. Slemm and others Defts. In
Chancery.

The object of this suit is to perfect the sale of the land in the Bill mentioned and to change the interest of the infant defendants conveyed to the purchasers; and it appearing from an affidavit filed in this cause that the defendants, Jas. Barron, Hugh C. Barron, Evan S. Pennington, Rachael Pennington, Jas. H. Kelly, and Martha Kelly his wife are non-residents of this State: It is therefore ordered that they appear here within fifteen days after due publication of this order, and do what may be necessary to protect their interest in this suit.

A copy test.

J. M. Morgan, P. Q. J. A. G. Hyatt C. C.

7 2 4w.

I certify that the legal notice
hereto attached appeared
regularly 4 successive weeks
in the Lee County Republican
ending 2nd day September 1888,

Geo. C. Coleman Pub

Lee County Republican

Printers fee 5¢

Wm. A. G. Scrump

3 Pub. Certificate
R. C. Scrump

Printer's Fee 5¢